

Dependent claim 11 is amended to provide appropriate dependency.

Claims 10 and 19 are cancelled without prejudice.

Claims 1 - 4, 6 - 23 stand rejected under 35 U.S.C. 102(b) as being anticipated by Haitzuka et al. (US Patent 6,366,298). However, as amended above, claim 1 includes the requirement of including purchased data in the retrieved profiled past. Purchased data is described in Applicant's specification as data provided by various firms which is grouped or keyed to presenting a lifestyle or lifestage view of users by blocks or group or some baseline parameter (page 12 lines 3 - 5). Nowhere does Haitzuka describe including or using such purchased data in his invention. In fact, the point of Haitzuka is to provide a process for monitoring a user's browsing without interfering with the user's use of the browser application (col 9, lines 63-65).

Haitzuka states that such monitoring can be used to target advertisements to relevant potential customers, but describes such use at col 7 lines 1 - 8 as sending data to selected users. No mention is made of using purchased data in making selections as required by Applicant's claim 1.

Claim 1 is therefore allowable over Haitzuka and such allowance is respectfully requested.

Applicant's claim 1 has also been amended above to require that the delivered content be an opportunity. Examples of such an opportunity are described in Applicant's specification as an opportunity asking the user to make an immediate purchase, select a particular item, or request a download.

Haitsuka merely describes sending data to selected users without mention of delivering an opportunity. Applicant's claim 1 is therefore also allowable over Haitsuka for this reason.

Independent claims 21 - 23 have been amended above to require similar features. Applicant therefore respectfully requests withdrawal of the rejection of these claims under 35 U.S.C. 102(b).

All of the remaining claims are dependent directly or indirectly on allowable independent claims 1, 21, 22, or 23 and are therefore also allowable.

Claim 5 is rejected under 35 U.S.C. 103(a) as unpatentable over Haitsuka. However, claim 5 is indirectly dependent on allowable claim 1 as amended above, and is therefore also allowable. Withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully requested.

Applicant notes that the seven documents listed on the PTO 1449 form filed 01/16/2001 with the application do not appear to have been reviewed by the Examiner. Applicant therefore respectfully requests such review by the Examiner.

The Application is deemed in condition for allowance and such action by the Examiner is urged.' Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707, 707.07(d) and 707.07(j) in order that allowable claims can be presented, thereby placing the

application in condition for allowance without further  
proceedings being necessary.

Respectfully submitted,

Dated: 06/02/04

By: John R. Pivnichny  
John R. Pivnichny  
Reg. No. 43,001

Telephone: (607) 429-4358

Fax: (607) 429-4119